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December 29, 1988

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Civil Enforcement Division

Gayle F. McKeachnie  
Attorney at Law  
363 East Main Street  
VERNAL UT 84078

Dear Gayle:

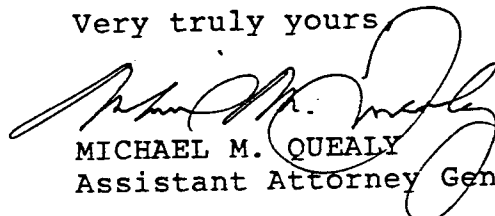
Bob Leake, the State Engineer's Area Engineer at Vernal, forwarded on to me your letter of December 22, 1988, along with your draft Complaint. I fully concur that a meeting with all interested parties would be helpful to see if there is a way this matter can be resolved amicably.

While I view this as primarily a private ditch dispute between your client and Ray Murray, I believe the State Engineer's Office would be more than willing to assist in whatever way it can in resolving the matter. Please be assured that the State Engineer's Office was not a party to any "conspiracy" to deprive your client of water. Bob Leake simply felt that he was caught between the parties, with one party requesting that water be delivered through the ditch, while--on the other hand--the other party demanded that no water (other than his own) be turned into the ditch.

In any event, please let me know the time and place of any meeting, as I would like to attend. I also think it would be helpful to have Joseph Novak (attorney for Mosby Irrigation Co.), Steve Boyden (attorney for the Ute Indian Tribe), and a representative from the United States Attorney's Office present.

If there is anything I can do in the meantime to assist in this matter, please let me know. Best wishes for a Happy New Year.

Very truly yours,

  
MICHAEL M. QUEALY  
Assistant Attorney General

Gayle F. McKeachnie  
December 29, 1988  
Page Two

cc: Robert L. Morgan, State Engineer  
cc: Lee H. Sim, Directing Adjudication Engineer  
cc: Robert L. Leake, Eastern Utah Area Engineer  
UTAH DIVISION OF WATER RIGHTS

MMQ/jr